



## REMARKS

### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

<b>Re:</b>	Patent Application for Bilyeu	<b>Dated:</b>	August 3, 2006
<b>Serial No.:</b>	10/789,917	<b>Art Unit:</b>	1638
<b>Filed:</b>	02/27/2004	<b>Examiner:</b>	Collins, Cynthia
<b>For:</b>	Soybean Variety S04-97130-15-02	<b>Action:</b>	Response to Office Action dated 5/3/06

The Examiner is requested to hold the objections to the specification and to claims 1 and 10 in abeyance. These XX's will be replaced with the appropriate accession numbers and dates of deposit after such information is received from the ATCC.

The Examiner's rejections to the dependency of claim 6 has been incorporated. Although the Applicant disagrees with the Examiner's suggestion that the genetic material is confusing, the Applicant believes that the Examiner's language is no different and thus has incorporated the Examiner's language for claim 12.

Respectfully submitted,

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**CERTIFICATE OF MAILING UNDER 37 C.F.R. 1.8**

I hereby certify that the foregoing Response to Office Actions dated May 3, 2006 is being mailed to the Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450, on this 3 day of August, 2006.

A handwritten signature in cursive script, appearing to read "Daniel J. Powell", written over a horizontal line.